



Under Secretary of Commerce for Intellectual Property and
Director of the United States Patent and Trademark Office
Washington, DC 20231
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Mailed:

YNG
Paper Number 22

In re application of :
Charles E. Bowers
Serial No. 08/933,822:
Filed: September 19, 1997:

: DECISION ON
: PETITION

For: YARN WITH HEAT-ACTIVATED BINDER MATERIAL AND PROCESS FOR MAKING

This is a decision on applicant's PETITION TO WITHDRAW HOLDING OF ABANDONMENT UNDER 37 CFR 1.181 filed on June 17, 2002, requesting withdrawal of the holding of the abandonment set forth in the Notice of Abandonment of June 4, 2002. The petition requests that the abandonment, as set forth in the Notice of Abandonment of June 4, 2000, be withdrawn since the applicant's did timely file a response on April 1, 2002. It is noted that the originally filed response has not been matched with the USPTO application.

DECISION

The instant request has been accepted as a petition to withdraw the holding of abandonment under the provisions of 37 CFR 1.181 (no fee) - no abandonment-in-fact. A review of the evidence presented reveals that applicant's response was properly filed on April 1, 2002, as evidenced by the attached Exhibit (express mail receipt of United States Postal Service). The petitioner states that on April 1, 2002, the undersigned attorney timely filed Notice of Appeal with the two months of extension of time in response to the Office letter mailed October 31, 2001. The petitioner further states that copies of all papers filed on April 1, 2002, are attached here with this request, which includes a copy of Certificate of Mailing to the USPTO on April 1, 2002, and authorization to charge Deposit Account 01-1125, \$400.00 for two month extension of time and copy of the Notice of Appeal. Accordingly, any holding of abandonment for failure to timely file a response to the Office letter mailed October 31, 2001, is hereby vacated, and the application is returned to pending status.

The application shall be forwarded to the Examiner for entry and consideration of the papers filed on April 1, 2002.

The Petition is **GRANTED**.

Jacqueline Stone, Director
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